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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/695,376	10/27/2003	Divya Gupta	P17142	5306
46915 7590 06/14/2007 KONRAD RAYNES & VICTOR, LLP. ATTN: INT77 315 SOUTH BEVERLY DRIVE, SUITE 210 BEVERLY HILLS, CA 90212			EXAMINER TRAN, PHUC H	
			ART UNIT 2616	PAPER NUMBER
			MAIL DATE 06/14/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

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Office Action Summary	Application No. 10/695,376	Applicant(s) GUPTA ET AL.	
	Examiner PHUC H. TRAN	Art Unit 2616	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 October 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-38 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-6, 8-10, 12-18, 20-22, 24, 25, 27-32, 34-36 and 38 is/are rejected.
- 7) ☒ Claim(s) 7, 11, 19, 23, 26, 33 and 37 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>4/25/05</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Objections

1. Claims 27-38 are objected to because of the following informalities: “article of manufacture” should be rewritten as “computer readable storage medium”. Appropriate correction is required.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-6, 8-10, 12-18, 20-22, 24, 25, 27-32, 34-36 and 38 are rejected under 35 U.S.C. 102(b) as being anticipated by Kim et al. (U.S. Patent No. 5446738).

- With respect to claims 1, 8, 13, 20, 24 & 27, Kim teaches a method for constructing a packet comprising: receiving a request to construct one packet (e.g. in Fig. 3A shows reception request), including information on at least one header and a payload to include in the packet (e.g. shows in Fig. 3A);

generating the at least one header for the received request; writing the generated at least one header in a first queue (e.g. the header a3 in Fig. 3A, col. 6, lines 51-56);

requesting the payload to include in the packet; writing the received payload to a second queue (e.g. the payload a2 in Fig. 3A, col. 6, lines 57-62);

reading the generated at least one header and payload from the first and second queues; and including the read at least one header and payload in the packet (e.g. Fig. 6A shows the read of header and payload).

- With respect to claims 2, 14, & 28, Kim teaches transmitting the constructed packet to a target node (col. 4 lines 65-67).

- With respect to claims 3, 15, & 29, Kim discloses signaling header complete in response to writing one header to the first queue; and signaling payload complete in response to writing the payload to the second queue (col. 8, lines 1-4).

- With respect to claims 4, 16, & 30, Kim teaches wherein the at least one header and payload are included in the packet in response to receiving signals that all headers for the packet to construct are written to the first queue and the payload for the packet to construct is written to the second queue (e.g. the header and the payload is included in the packet at the output data in Fig. 2).

- With respect to claims 5, 17, & 31, Kim teaches wherein writing the header and signaling header complete are performed by a header engine (e.g. Fig. 6A, Fig. 7 and Fig. 8 shows the header engine), wherein writing the received payload and signaling payload complete are performed by a payload engine (e.g. Fig. 4), and wherein including the read at least one header and payload in the packet are performed by a completion engine in response to receiving the signals (col. 8, lines 1-4).

- With respect to claims 6, 18, 25, & 32, Kim teaches wherein headers and payload for a first packet may be buffered in the first and second queues before a second packet preceding the first packet is constructed (e.g. Fig. 3a shows the FIFO queue).

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- With respect to claims 9-10, 21-22, & 35-36, Kim teaches wherein writing the at least one header to the first queue, writing the payload to the second queue, and reading the at least one header and payload from the first and second queues are performed in different clock domains (e.g. col. 5, lines 7-8; col. 6, lines 23-27).

- With respect to claims 12, & 38, Kim teaches wherein one packet to construct may include at least one header and no payload, and wherein the at least one generated header is included in the packet in response to receiving signals indicating that the headers have been generated and determining that the packet to construct does not include payload (col. 10, lines 16-18).

Allowable Subject Matter

4. Claims 7, 11, 19, 23, 26, 33, & 37 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Gregorio et al. (Pub. No. 2004/0184457 A1) discloses multichannel processor.

Oskouy et al. (Pub. No. 2002/0163916 A1) discloses in-line packet processing.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to PHUC H. TRAN whose telephone number is (571) 272-3172. The examiner can normally be reached on M-F (8-4:30).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, CHI PHAM can be reached on (571) 272-3179. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Phuc Tran
Assistant Examiner
Art Unit 2616

P.t
6/10/07


CHI PHAM
SUPERVISORY PATENT EXAMINER
